

Entered - 07/06/04 - sb  
CL04L0419 - DIANNE C. MITCHELL

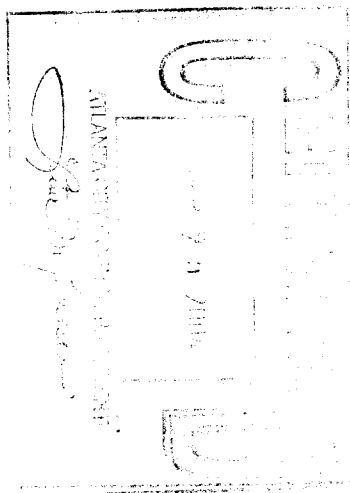
04-R -1601

CLAIM OF: **ENCOMPASS INSURANCE AS SUBROGEE  
OF JUDGE STANLEY F. BIRCH, JR.**  
P. O. Box 908  
Monmouth Junction, NJ 08852

ADOPTED BY  
SEP 20 2004  
COUNCIL

For damages alleged to have been sustained as a result of a vehicular accident on April 7, 2004 at Northside Drive and Bishop Street.

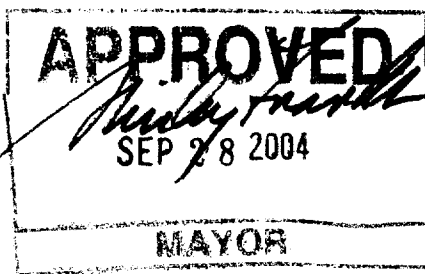
BY PUBLIC SAFETY AND  
LEGAL ADMINISTRATION COMMITTEE:



BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **ENCOMPASS INSURANCE AS SUBROGEE OF JUDGE STANLEY F. BIRCH, JR.** the sum of **\$4,543.96** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of a result of a vehicular accident on April 7, 2004 at Northside Drive and Bishop Street as is more particularly set forth in the within claim; said sum taken from and charged to account **1A01/529017/T31001**, Settlement of Suits and Claims, Department of Law.

APPROVED: **LINDA K. DISANTIS**  
CITY ATTORNEY

BY: *[Signature]*  
**JERRY L. DELOACH**  
DEPUTY CITY ATTORNEY



## FAVORABLE REPORT

PUBLIC SAFETY &

LEGAL ADMINISTRATION COMMITTEE

DATE: 9/14/04

CHAIR: *[Signature]*

*[Signature]*

*[Signature]*



**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

**04-R-1601**

**A RESOLUTION**

**BY PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE**

**BE IT RESOLVED BY** the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Encompass Insurance as subrogee of Judge Stanley F. Birch, Jr.** in the sum of **\$4,543.96** settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained **as a result of a vehicular accident on April 7, 2004 at Northside Drive and Bishop Street**, as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

*Rhonda Dauphin Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
APPROVED by the Mayor

SEP 20, 2004  
SEP 28, 2004

**DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY**

Claim No. 04L0419

Date: August 31, 2004

Claimant /Victim ENCOMPASS INSURANCE AS SUBROGEE OF Judge Stanley F. Birch, Jr.  
BY: (Atty)(Ins. Co.) \_\_\_\_\_  
Address: P. O. Box 908, Monmouth Junction, NJ 08852  
Subrogation: X Claim for Property damage \$ 4,543.96 Bodily Injury \$ \_\_\_\_\_  
Date of Notice: 06/08/04 Method: Written, proper X Improper \_\_\_\_\_  
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X  
Date of Occurrence 04/07/04 Place: Northside Drive and Bishop Street  
Department Public Works Bureau: Motor Transport Services  
Employee involved Quincy L. Allen Disciplinary Action: Written Reprimand

NATURE OF CLAIM: The driver of the City vehicle rear ended the claimant's vehicle causing damages in the above amount.

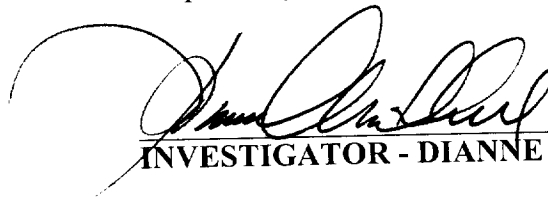
**INVESTIGATION:**

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_  
Pictures X Diagrams \_\_\_\_\_ Reports: Police X Dept Report X Other \_\_\_\_\_  
Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_  
Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

**BASIS OF RECOMMENDATION:**

Function: Governmental X Ministerial \_\_\_\_\_  
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable X  
City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_  
Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_  
Claimant Negligent \_\_\_\_\_ City Negligent X Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - DIANNE C. MITCHELL

**RECOMMENDATION:**

Pay \$ 4,543.96 Adverse \_\_\_\_\_ Account charged: 1A01 X 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_ 2P01 \_\_\_\_\_  
Claims Manager: [Signature] Concur/date 9/1/04  
Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

RCS# 6041  
9/20/04  
2:47 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PG(S) 1-16 EXCEPT:04-O-1442,  
04-R-1581, 04-O-1470  
ADOPT

YEAS: 14  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	NV Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

CONSENT I

		9-20-04 Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSE ON CONSENT
1. 04-O-1500 2. 04-O-1501 3. 04-O-1502 4. 04-O-1503 5. 04-O-1504 6. 04-O-1505 7. 04-O-1631 8. 04-O-1508 9. 04-O-1513 10. 04-O-0165 11. 04-O-1253 12. 04-O-1255 13. 04-O-1256 14. 04-O-1259 15. 04-O-1431 16. 04-O-1442 17. 04-O-1479 18. 04-O-1480 19. 04-O-1551 20. 04-O-1552 21. 04-O-1554 22. 04-O-1625 23. 04-O-1627 24. 04-O-0770 25. 04-R-1566 26. 04-R-1568 27. 04-R-1569 28. 04-R-1630 29. 04-R-1635 30. 04-R-1650 31. 04-R-1571 32. 04-R-1632 33. 04-R-1590 34. 04-R-1616 35. 04-R-1580 36. 04-R-1581 37. 04-R-1583 38. 04-R-1584 39. 04-R-1585 40. 04-R-1574	41. 04-R-1575 42. 04-R-1576 43. 04-R-1578 44. 04-R-1579 45. 04-R-1633 46. 04-R-1653 47. 04-R-1593 48. 04-R-1594 49. 04-R-1595 50. 04-R-1596 51. 04-R-1597 52. 04-R-1598 53. 04-R-1599 54. 04-R-1600 55. 04-R-1601 56. 04-R-1602 57. 04-R-1603 58. 04-R-1604 59. 04-R-1605 60. 04-R-1606 61. 04-R-1607	62. 04-R-1608 63. 04-R-1609 64. 04-R-1610 65. 04-R-1611 66. 04-R-1612 67. 04-R-1614 68. 04-R-1615